

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2789 – SB 2725

March 23, 2010

SUMMARY OF AMENDMENTS (015114, 015410, 015411): Amendment 015114 requires any person adjudicated delinquent for a violent juvenile sexual offense occurring after July 1, 2010, to register as a violent juvenile sexual offender. Defines a “violent juvenile sexual offender” as any offender, 14 to 18 years old, who has been adjudicated delinquent for any act that constitutes a violent juvenile sexual act or has been determined by a mental health professional through a psycho-sexual exam to be at a high risk of re-offending or who has previously been adjudicated delinquent for a violent juvenile sexual offense.

Amendment 015410 requires that a child charged as a violent juvenile sexual offender be given notice of the violent juvenile sexual offender registration requirements before any hearing to determine guilt.

Amendment 015411 requires the Tennessee Bureau of Investigation (TBI) to review and determine, upon written request of a violent juvenile sexual offender, the necessity for an offender to remain on the sexual offender registry (SOR). Authorizes offenders to request a case review within 12 months of their 19th birthday and again every five years until the offender has been on the SOR for 25 years.

FISCAL IMPACT OF ORIGINAL BILL:

Decrease State Revenue -	\$7,100/Recurring/TBI Fund
Increase State Expenditures –	\$2,000/One-Time
	\$36,300/Recurring

Increase Federal Expenditures - \$21,600/Recurring

Increase Local Expenditures – Exceeds \$100,000/One-Time*

Other Fiscal Impact – According to TBI, failure to pass this legislation may result in a 10 percent decrease in the Byrne Grant funding for the state of Tennessee. In federal FY10, Tennessee is eligible to receive \$50,380,636 in Byrne Grant funding.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

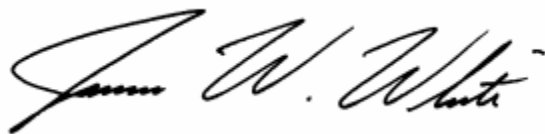
Unchanged from the original fiscal note.

Assumptions applied to amendments:

- According to the Department of Children Services (DSC), psycho-sexual exams are currently preformed on violent juvenile sexual offenders. All costs for the exams are currently paid by the DCS Flex Fund. Because exams are currently preformed on violent juvenile offenders, requiring that these exams be conducted will not result in a significant increase to state expenditures.
- Notifying juveniles charged as violent juvenile sexual offenders of all SOR registration requirements can be accommodated within the existing resources of state or local registering agencies and will result in a not significant increase to state or local expenditures.
- According to TBI, reviewing an offenders status on the SOR can be accommodated within existing resources and will not result in a significant increase to state expenditures.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

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